

FILED

NOV 12 2013

**New Jersey State Board of
Massage and Bodywork
Therapy Examiners**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MASSAGE AND BODYWORK
THERAPY

IN THE MATTER OF THE
APPLICATION OF

MINGZI CUI

TO PRACTICE MASSAGE AND
BODYWORK THERAPY IN THE
STATE OF NEW JERSEY

FINAL ORDER OF
DENIAL OF CERTIFICATION/
LICENSURE

This matter was opened to the Massage, Bodywork and Somatic Therapy Examining Committee (the Committee) upon receipt of information which the Board of Massage and Bodywork Therapy (the Board) has reviewed and the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Mingzi Cui submitted an application for certification dated November 8, 2011. As of September 4, 2012, such applications are deemed to be applications for licensure by the Board.

2. On Ms. Cui's application, she checked "no" in response to the question as to whether she had been arrested or charged with any violation of law, or convicted of any crime or offense.

3. Ms. Cui underwent a criminal history background check which indicated that Ms. Cui had been arrested on April 7, 2006 and charged with engaging in prostitution, i.e., offering to masturbate an undercover officer for \$80.00; and on April 20, 2009 and charged with performing massage without a permit. In connection with the 2006 charges, Ms. Cui was convicted of a local ordinance violation and fined \$500.00 and costs. With respect to the 2009 charges, Ms. Cui was convicted of disorderly conduct and fined \$100.00.

CONCLUSIONS OF LAW

1. Ms. Cui's failure to disclose on her application that she had been arrested twice, including on prostitution-related charges in 2006, and convicted of violations on two occasions, constitutes a violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Certification/Licensure was entered on May 22, 2013, provisionally denying Ms. Cui's application for certification, deemed to constitute an application for licensure. A copy of the Order was served upon Ms. Cui by certified and regular mail at her latest address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification

or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Although the record reflects that the certified mailing of the Provisional Order was signed for, and the regular mailing of the order was not returned, no response has been received to date. The Board determined that service had been effected inasmuch as the certified mailing had been signed for. The Board further determined that as no discrepancies had been raised with respect to the findings and conclusions of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY,

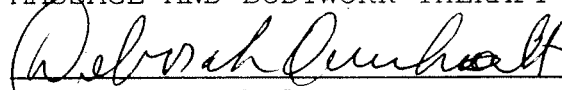
IT IS on this 12th DAY of November, 2013,

ORDERED that:

1. Ms. Cui's application for certification as a Massage, Bodywork and Somatic Therapist in New Jersey, which as of September 4, 2012 is converted into an application for licensure by the Board, is hereby denied.

NEW JERSEY STATE BOARD OF
MESSAGE AND BODYWORK THERAPY

By:


Deborah Overholt
Chairperson